

REMARKS

The present application contains claims 25, 28-34, 36, and 39-45 which now stand Finally rejected following the Official action mailed April 25, 2011. Applicants have cancelled claim 35; whereas claims, 25, 28-34, 36, and 39-45, which remain as presented in applicants' prior response, distinguish over the art for the reasons given below. Applicants request reconsideration of the claims in view of the accompany remarks.

Objection to Claim 35

The examiner has rejected claim 35 under 35 U.S.C. §101 as non-statutory. Applicants have cancelled claim 35, thereby rendering this rejection moot.

35 U.S.C. § 103(a) Rejection of Claims 25-27, 32, 34-38, 43 and 45-47

Claims 25-27, 32, 34-38, 43, and 45-47 stand rejected under 35 U.S.C. § 103(a) as obvious over US Patent 6,134,243 in the name of Annie Jones et al. (hereinafter, "the Jones et al. patent"), in view of US Published Patent Application 2004/0006575 in the name of Mohammed Visharam et al. (hereinafter, the Visharam et al, published application). Applicants traverse the rejection.

As discussed in applicants' prior response, the Jones et al. patent recites a technique for processing media data (e.g., audio-visual files) by including data indicating the manner in which such data should undergo transmission. In particular, the Jones et al. patent suggests embedding such data in a hint track in the file.

With regard to the Jones et al. patent, the examiner acknowledges that this reference remains silent regarding applicant's feature of embedding the parameter information in a Session Description Protocol (SDP) payload of a hint track of the file. To supply this missing teaching, the examiner relies on the Visharam et al. published application to teach applicants' feature of embedding parameter information in the Session Data Protocol payload of the hint track.

Notwithstanding the examiner's characterization of Jones et al. and Visharam et al., the combination of references would still not teach or suggest all of the features of applicants' claims.

The Jones et al. patent contains only one mention of the term "SDP. At Col. 24, lines 51-57 of their patent, Jones et al. provides the following statement:

The hint track is related to its base media track by a single track reference declaration. (RTP does not permit multiplexing of media within a single RTP stream). The sample description for RTP declares the maximum packet size which this hint track will generate. Session description (SAP/SDP) information is stored in user-data atoms in the track.

Based on this statement, the examiner can only rely on Jones et al for the teaching of including Session Description information within user data atoms (e.g., packets) stored in the hint track. Jones et al. discloses nothing about embedding parameter information in the SDP payload as recited in applicants' claim. Indeed, the examiner has conceded as much.

Like the Jones et al. patent, the Visharam et al. published application contains only one mention of the term "SDP" which occurs at paragraph [0172] which provides:

In one embodiment, the capability of a decoder to provide any or all of the enhanced capabilities described in a SEI message is signaled by external means (e.g., Recommendation H.245 or SDP). Decoders that do not provide the enhanced capabilities may simply discard SEI messages.

This paragraph says nothing about embedding parameter information in an SDP payload as recited applicants' claims. Rather, this paragraph merely states that the decoder can use the SDP protocol to signal its ability to provide the capabilities described the SEI message. The signaling described in Visharam et al. constitutes an operation entirely different than embedding parameters in the SDP payload.

Even when taking the Jones et al. patent and the Visharam et al published application in their entirety; the examiner still has not shown that the combination of references teaches all of the features recited in applicants' claims. In particular, the examiner has not show that either Jones et al. or Visharam et al. specifically teach embedding parameter information in an SDP payload in a hint track of a video file. In the absence of the combination of Jones et al. and Visharam et al. teaching all of the features

of applicants' claims 25-27, 32, 34, 36-38, 43 and 45-47, these claims are non-obvious and patentable over the art of record. Accordingly, applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of claims 25-27, 32, 34, 36-38, 43 and 45-47.

35 U.S.C. § 103(a) Rejection of Claims 28 and 39

Claims 28 and 39 stand rejected under 35 U.S.C. § 103(a) as obvious over the Jones et al. patent, in view of the Visharam et al. published application, further in view of US Published Application 2005/0004968 in the name of Jari Mononen et al. (hereinafter, "the Mononen et al. published application"). In rejecting claims 28 and 39, the examiner contends that the combination of Jones et al. and Visharam et al. suggests applicants' features of embedding the parameter information, but fails to disclose encoding the parameter information in Multipurpose Internet Mail Extensions (MIME). To supply this missing teaching in Jones et al. and Visharam et al, the examiner relies on the Mononen et al. published application. Applicants traverse the rejection.

As discussed above, the combination of Jones et al. patent and Visharam et al. fail to suggest applicants' feature of embedding the parameter information in a Session Description Protocol (SDP) payload of a hint track of the file.

The Mononen et al. published application concerns a technique for sharing information among mobile terminals in a wireless network. An information server receives request from mobile terminals, each of which makes use of a special protocol to address the server.

The system architecture disclosed in the Mononen et al. published application admittedly makes use of MIME to define rules for labeling different types of transmissions. Further, the Mononen et al. published application makes use of the Session Initiation Protocol/Session Description Protocol (SIP/SDP) for instant messaging and rich call session control. However, the Monson et al. published application does not remedy the deficiencies of the Jones et al. patent and the Visharam published application. Like the Jones et al. patent and the Visharam published application, the Mononen et al. published application does not disclose or suggest embedding the parameter information in a Session Description Protocol (SDP) payload of a hint track of the file, as recited in

claims 25 and 36 from which claims 28 and 29 depend, respectively. Therefore, the combination of Jones et al., Visharam et al., and Mononen et al. fail to disclose or suggest all of the features of claims 28 and 39.

Given that the combination of Jones et al., Visharam et al. and Mononen et al. fail to teach all of the features of applicants' claims 25 and 36 from which claims 28 and 39, respectively depend, claims 28 and 39 patentably distinguish over the art of record. Applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of these claims.

35 U.S.C. § 103(a) Rejection of Claims 29-31, 33, 40-42 and 44

Claims 29-31, 33, 40-42 and 44 stand rejected under 35 U.S.C. § 103(a) as obvious over the Jones et al. patent, in view of the Visharam et al. published application, further in view of the MPEG 2001/N4858 publication. In rejecting these claims, the examiner contends that the combination of Jones et al. and Visharam et al. teach everything recited in these claims except transmitting the parameter information out-of-band. For this teaching, the examiner relies on the MPEG 2001/N4858 publication. Applicants traverse this rejection.

As discussed above, the combination of the Jones et al. and Visharam et al. fail to teach applicants' feature of embedding the parameter information in a Session Description Protocol (SDP) payload of a hint track of the file.

The MPEG 2001/N4858 publication concerns storage of AVC (Advanced Video Coding) content for MPEG 4 files. In particular, the MPEG 2001/N4858 publication states in Section 3.14 that each slice undergoes decoding against a set of parameter values, which are presumably sent out of band or in stream.

The MPEG 2001/N4858 publication does not remedy the deficiency of the Jones et al. patent. Nowhere does the MPEG 2001/N4858 publication disclose or suggest embedding the parameter information in a Session Description Protocol (SDP) payload of a hint track of the file, as recited in claims 25 and 36 from which claims 29-31, and 33 and claims 40-42, and 44 depend, respectively. Thus, the combination of the Jones et al. patent, the Visharam et al. published application, and the MPEG 2001/N4858 publication

does not disclose all of the features of claims 29-31, 33, 40-42 and 44. Accordingly, applicants request withdrawal of the 35 U.S.C. § 103(a) rejection of these claims.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. **07-0832**.

Respectfully submitted,
John W. Richardson et al.

By: /Robert B. Levy/
Robert B. Levy
Attorney for Applicants
Reg. No. 28,234
Phone (609) 734-6820

Patent Operations
Thomson Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08543-5312
March 24, 2011